

Article 6: Stopping, Standing and Parking

Division 21: Ballpark Event Residential Permit Parking

(“Ballpark Event Residential Permit Parking”

added 2-9-2004 by O-19263 N.S.)

§86.2101 Purpose

This division is enacted pursuant to a litigation settlement agreement entered into by the City of San Diego on July 25, 2000 to address potential residential parking concerns created by the opening of the downtown ballpark facility.

It creates a parking program whereby designated districts would have time limit parking zones that are in effect only during *ballpark events*. Those resident vehicles which display a valid permit would be exempt from the time limit parking restriction. *(“Purpose” added 2-9-2004 by O-19263 N.S.)*

§86.2102 Definitions

Defined terms appearing in this division are shown in italics. For purposes of this division:

Ballpark event means any Major League Baseball game conducted in the *ballpark structure*.

Ballpark event residential parking permit means a permit issued to a qualified *person* located within the *ballpark event residential permit parking district*.

Ballpark event residential permit parking district means a designated residential area where parking is regulated during *ballpark events*.

Ballpark structure means the open-air, natural grass, state-of-the-art ballpark facility located in downtown San Diego that contains approximately 42,000 seats.

Lease has the same meaning as in Municipal Code section 86.2003.

Legal resident has the same meaning as in Municipal Code section 86.2003.

Neighborhood means the following neighborhoods located in the City of San Diego: Sherman Heights, Barrio Logan, Golden Hill and Uptown, the geographic boundaries to be consistent with current maps located in the City’s Planning Department.

Owns has the same meaning as in Municipal Code section 86.2003.

Person has the same meaning as in Municipal Code section 11.0210.
(“Definitions” added 2-9-2004 by O-19263 N.S.)

§86.2103 Scope of Division

This division shall only apply to *neighborhoods* who request a *ballpark event residential permit parking district* as required by this division.
(“*Scope of Division*” added 2-9-2004 by O-19263 N.S.)

§86.2104 Designation of Ballpark Event Residential Permit Parking Districts

The City Council-recognized community planning group and the appropriate City Council District may submit a written request that the City Council designate any or all portions of a street located within any *neighborhood* as a *ballpark event residential permit parking district*.
(“*Designation of Ballpark Event Residential Permit Parking Districts*” added 2-9-2004 by O-19263 N.S.)

§86.2105 Ballpark Event Residential Permit Parking Districts

- (a) Once the City Council designates a *ballpark event residential permit parking district*, the City Manager pursuant to section 82.01 of this Code shall cause appropriate signs to be erected in the area indicating prominently the time limitation, period of the day for its application, and conditions under which permit parking shall be exempt.
- (b) A *ballpark event residential permit parking district* shall be in effect only during *ballpark events*.
- (c) Except as provided for in section 86.2108, no *person* shall stop, stand or park any vehicle in any *ballpark event residential permit parking district* for a period of time longer than the time limitation posted.
(“*Ballpark Event Residential Permit Parking Districts*” added 2-9-2004 by O-19263 N.S.)

§86.2106 Issuance of Ballpark Event Residential Parking Permits

- (a) Consistent with the requirements listed in this section the City Manager is authorized and directed to issue, upon written application, a parking permit. Each such permit shall be designated by the City Manager to state or reflect thereon the particular *ballpark event residential permit parking district* as well as the license number of the motor vehicle for which it is issued.
- (b) No more than one parking permit shall be issued to each motor vehicle for which application is made. Except that, businesses may be allowed more than one permit under conditions and restrictions that the City Manager deems appropriate.
- (c) Parking permits may be issued for motor vehicles only upon application of the following *persons*:
 - (1) A *legal resident* of the *ballpark event residential permit parking district* who has a motor vehicle registered in his or her name, or who has a motor vehicle for his or her exclusive use and control.

- (2) A person who owns or leases commercial property and actively engages in business activity within a *ballpark event residential permit parking district*.
- (d) Proof of residency or ownership shall be demonstrated in a manner determined by the City Manager.
- (e) Proof of motor vehicle ownership or vehicle use and control shall be demonstrated in a manner determined by the City Manager.
(“Issuance of Ballpark Event Residential Parking Permits” added 2-9-2004 by O-19263 N.S.)

§86.2107 Display of Permits

Permits shall be displayed in a manner determined by the Chief of Police.
(“Display of Permits” added 2-9-2004 by O-19263 N.S.)

§86.2108 Permit Parking Exemptions

- (a) A resident motor vehicle or transient motor vehicle on which is displayed a valid *ballpark event residential permit parking permit* shall be permitted to stand or park in the *ballpark event residential permit parking district* for which the permit has been issued without being limited by the time restrictions or area prohibitions established pursuant to this division and that are in effect only during a *ballpark event*. The resident motor vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this division.
- (b) This division shall not apply to vehicles specified in section 81.06 of this Code and vehicles where the operator or the passenger being transported by the vehicle is physically disabled and the vehicle displays a license issued under the provisions of section 9105 or section 22511.5 of the California Vehicle Code.
- (c) A parking permit shall not guarantee or reserve to the permit holder an on-street parking space within the designated *ballpark event residential permit parking district*.
(“Permit Parking Exemptions” added 2-9-2004 by O-19263 N.S.)

§86.2109 Application for and Duration of Permit

Each parking permit issued by the City Manager shall be valid for not more than one year from date of issuance. All parking permits issued by the City Manager pursuant to this division require renewal on March 1 regardless of the original issue date. All renewals shall be made in such manner as may be required by the City Manager. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, the applicant's residence address or address of real property *owned or leased* within a *ballpark event residential parking permit district*, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the City Manager.
(*"Application for and Duration of Permit" added 2-9-2004 by O-19263 N.S.*)

§86.2110 Permit Fees

There shall be no fee for obtaining a *ballpark event residential parking permit*.
(*"Permit Fees" added 2-9-2004 by O-19263 N.S.*)

§86.2111 Penalty Provision

- (a) It is unlawful for any *person* to stand or park a motor vehicle for a period exceeding the time limitation or in a *ballpark event residential permit parking district*. Said violation shall be an infraction punishable by a \$150 fine.
- (b) It is unlawful for any *person* to falsely represent himself as eligible for a parking permit or to furnish false information in an application or a parking permit.
- (c) It is unlawful for any *person* to use or display or permit the use or display of a parking permit on a motor vehicle other than that for which the permit is issued.
- (d) It is unlawful for any *person* to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Manager. It shall further be unlawful and a violation of this division for a *person* to transfer the beneficial ownership of or a continuous right to use a parking permit in order to evade area prohibitions or time limitation on parking applicable in a *ballpark event residential permit parking district*.
- (e) Unless otherwise provided for, a violation of this section shall be a misdemeanor punishable in accordance with the provisions of section 12.0201 of this Code.

(*"Penalty Provision" added 2-9-2004 by O-19263 N.S.*)

§86.2112 Revocation of Permit

The City Manager may revoke the *ballpark event residential parking permit* of any *person* found to be in violation of this division and, upon written request, the *person* shall surrender such permit to the City Manager. It is unlawful to fail or refuse to surrender a revoked *ballpark event residential parking permit*.
(“Revocation of Permit” added 2-9-2004 by O-19263 N.S.)